

COMMISSIONERS APPROVAL

GRANDSTAFF *CG*

ROKOSCH *JR*

THOMPSON *AT*

CHILCOTT

DRISCOLL

PLETTENBERG (Clerk & Recorder)

Date.....April 28, 2008

Members Present.....Commissioner Carlotta Grandstaff,
Commissioner Jim Rokosch, Commissioner Alan Thompson, Commissioner Greg
Chilcott and Commissioner Kathleen Driscoll

Minutes: Beth Perkins

► The Board met for approval for the Renewable Resource Grant to DNRC and approval of the DEQ contract for Household Hazardous Waste Collection with Lea Jordan as follows.

Lea gave an overview of the grant. **Commissioner Chilcott made a motion to approve the grant to DNRC for renewable resources. Commissioner Rokosch seconded the motion. All voted 'aye'.**

Commissioner Chilcott made a motion to approve the DEQ contract for Household Hazardous Waste Collection contingent upon approval from County Attorney. Commissioner Driscoll seconded the motion. All voted 'aye'.

Commissioner Chilcott made a motion to approve the DEQ contract for groundwater vulnerability analysis. Commissioner Driscoll seconded the motion. All voted 'aye'.

► The Board met for a Personnel Issue (Closed Door Invoked)

► The Board met for the following administrative issue: Monies for Big Sky Coalition. Commissioner Grandstaff requested the minutes from the meeting on February 1st be read for clarification. Secretary Beth Perkins read the motion as follows: "Commissioner Rokosch made a motion to be co-sponsor of the Bio-fuel Educational Symposium with the details to be negotiated at a later time and a maximum of \$550. Commissioner Chilcott seconded the motion, all voted 'aye'." Commissioner Grandstaff stated she

would like to see how much Big Sky Coalition has already paid to the Fairgrounds for the use of the First Interstate Building. Commissioner Driscoll agreed and added she would like to have Sonny LaSalle present.

Commissioner Driscoll made a motion to continue the discussion until further payment information is available. Commissioner Rokosch seconded the motion. All voted 'aye'.

Minutes: Glenda Wiles

► The Board met for a public hearing on a petition to vacate a part of a subdivision plat for unnamed public easement north of Hawthorne Lane. Present at this meeting was the petitioner Bill McCluskey who represents one of the owners of the lots on the platted road, Mr. George Korson. Also present was the Appointed Viewers Surveyor George Marshall and Road Foreman Bill Meisner.

Commissioner Grandstaff called the hearing to order noting the proper legal notice has been run in the paper of record. George presented the Viewers Report, as written and approved by the other viewers, Commissioner Kathleen Driscoll and Road Foreman Bill Meisner. George presented a plat map showing the unnamed public easement north of Hawthorne Lane in Paradise Heights #2, Block 5. George stated this is a public road as it was dedicated to the created lots; those being lots 1-4. The lots were re-platted by new lot lines about one year ago. There are two new roads that are platted roads. The proposal is to vacate the 20' strip that borders the lots. This strip has never been built out. The topography does not allow any access to be built off of this strip. The current internal road that is in place provides access to all the lots. There will be a cul-de-sac (yet to be built) allowing for emergency personnel at lot 2-A. This cul-de-sac will be off of the 60' road and aligns itself next to the 20' strip they hope to have vacated.

George stated this area was platted in 1910. That is when the 20' strip was dedicated. The plat was drawn without any on site visit to the terrain. Bill stated this plat was from the old ditch plat, utilizing 20' on one side of property ownership and possibly utilizing 20' of property on the adjoining property. Bill agreed the topography would not allow any road to be built.

Bill McCluskey stated the property to the north is a large parcel. The property to the east is a 20-acre parcel. While this strip goes through these parcels it does not lead to anything. Commissioner Chilcott expressed concern about giving up any public easement that might be needed in the future.

Bill stated this has never been utilized and could not be utilized for any road way. Commissioner Rokosch asked if this 20' strip could be utilized as a walk way.

Commissioner Thompson asked about the terrain. George stated from the south to the north there is some pretty steep terrain with a creek at the bottom. It would be difficult to get up by foot. Bill agreed it is not conducive to walking.

Commissioner Rokosch asked about the roadway being dedicated to the public. Bill stated the new road with the cul-de-sac would be a public road giving access to the four lots. Commissioner Rokosch also asked about the 60' easement. George stated the owner wants the cul-de-sac constructed in order to provide the access to the lots while giving emergency turn around. While the road will be a public easement, it will be privately maintained. Discussion included the road past the cul-de-sac and its status, as it serves two of those lots (lots 1-A and 3-A) which would need to be dedicated to the public with private maintenance where the split off is on Lot 1-A.

Planner Renee Lemon was now present to review this plat. Renee stated this could be an amendment to the subdivision and therefore must go through the planning process. George stated he visited with Karen Mahar and someone in planning. He stated they are not changing any lot lines, as those lot lines are already recorded through lot line adjustment.

Commissioner Grandstaff asked what happens if Lot -A subdivides in the future. Bill stated the covenants do not allow this. Renee asked why they are making this a public road and not a private road. Commissioner Driscoll stated at the road supervisors meeting they taught them (Gallatin County and Lewis and Clark Civil Counsel) that it must be a public road with private maintenance.

George stated the lots have access now. The question is; where does the road stop being a public road. Renee stated she is not aware of what Gallatin County and Lewis and Clark Civil Counsel's are teaching.

Commissioner Grandstaff expressed concern over having another access out due to the urban interface. Renee stated 20' can not be utilized to provide another exit. Bill stated you would have to add more land to the 20' strip and it would still not allow egress. Discussion included the current issue at Kootenai Creek with 'no allowance' for exit. George stated those lots currently exist and there are no requirements. Bill stated the only way out for about 175 people is the Blodgett Camp Road. If the Commissioners are going to tell these four lots what they need, then the other 175 lots need another exit. Commissioner Grandstaff stated she is not saying what they need to do, just that she questions not having another exit. Bill stated there is another exit off of Lot 3-1, it is just un-developed.

Commissioner Chilcott expressed his concern about taking away any public easement. Bill stated there is plenty of room on lot 3-A for emergency vehicles to turn around.

Commissioner Chilcott made a motion to approve petition to vacate. Commissioner Thompson seconded the motion. Discussion: Commissioner Driscoll asked what the location for a public road was and then noted the timing was bad for Karen Mahar to review this. Commissioner Chilcott amended his motion to add that the petition be granted contingent upon Civil Counsel's review of the public access/private maintenance issue and review and approval of this abandonment.

Bill McCluskey stated the owner is willing to grant public access to whatever point the Commissioner's would like. All voted "aye". See Resolution No. 2271. It was agreed the cul-de-sac could be built as presented while awaiting Civil Counsel's review.

► In other business the Board met with numerous Kootenai Creek Residents at the Frontier Café during the evening hours in Stevensville to discuss the Kootenai Bridge replacement.